

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 04011

1 WHEREAS, Glen Herbert has submitted an application designated as Special
2 Permit No. 04011 for authority to develop Boulder Ridge Community Unit Plan consisting of 190
3 single family units, 47 single family attached units and 224 multiple family units with an
4 additional 240 unassigned units, on property located at S. 84th Street and Pine Lake Road, and
5 legally described to wit:

6 A part of Lot 39 I.T. in the Southwest Quarter of Section 14,
7 Township 9 North, Range 7 East of the 6th P.M., Lancaster
8 County, Nebraska, being more particularly described as follows:

9 Commencing at the northwest corner of said Southwest Quarter
10 of Section 14 and extending thence north 89 degrees 45 minutes
11 03 seconds east, along the north line of said Southwest Quarter of
12 Section 14, a distance of 50.09 feet to the point of beginning;
13 thence continuing north 89 degrees 45 minutes 03 seconds east,
14 2597.27 feet to the northeast corner of said Southwest Quarter of
15 Section 14; thence south 01 degrees 10 minutes 05 seconds east,
16 along the east line of said Southwest Quarter of Section 14, a
17 distance of 1324.63 feet; thence south 89 degrees 52 minutes 28
18 seconds west, 1333.67 feet; thence south 00 degrees 44 minutes
19 14 seconds east, 1166.90 feet; thence north 70 degrees 28
20 minutes 04 seconds west, 303.58 feet to a point of curvature of a
21 circular curve to the left having a central angle of 20 degrees 17
22 minutes 38 seconds, a radius of 1096.50 feet, and whose chord
23 (386.35 feet) bears north 80 degrees 36 minutes 54 seconds
24 west; thence along the arc of said curve, 388.38 feet; thence
25 south 89 degrees 14 minutes 17 seconds west, 291.17 feet;
26 thence north 00 degrees 19 minutes 34 seconds west, 550.55
27 feet; thence south 89 degrees 44 minutes 47 seconds west,
28 334.69 feet to a point 50.00 feet east of the west line of said
29 Southwest Quarter of Section 14; thence north 00 degrees 18
30 minutes 16 seconds west, 570.84 feet; thence north 89 degrees
31 47 minutes 45 seconds east, 334.34 feet; thence north 00
32 degrees 15 minutes 16 seconds west, 753.67 feet; thence south
33 89 degrees 40 minutes 56 seconds west, 334.89 feet; thence
34 north 00 degrees 18 minutes 27 seconds west, 449.26 feet, to the
35 point of beginning; containing a total calculated area of 99.64
36 acres, more or less;

1 WHEREAS, the real property adjacent to the area included within the site plan
2 for this community unit plan will not be adversely affected; and

3 WHEREAS, said site plan together with the terms and conditions hereinafter set
4 forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal Code to
5 promote the public health, safety, and general welfare.

6 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
7 Lincoln, Nebraska:

8 That the application of Glen Herbert, hereinafter referred to as "Permittee", to
9 develop Boulder Ridge Community Unit Plan consisting of 190 single family units, 47 single
10 family attached units and 224 multiple family units with an additional 240 unassigned units, on
11 the property legally described above, be and the same is hereby granted under the provisions
12 of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that
13 construction and operation of said community unit plan be in strict compliance with said
14 application, the site plan, and the following additional express terms, conditions, and require-
15 ments:

16 1. This permit approves 701 dwelling units consisting of 190 single family
17 units, 47 single family attached units, 224 multiple family units and 240 unassigned units within
18 the Boulder Ridge Community Unit Plan.

19 2. Before receiving building permits:

20 a. The Permittee must submit an acceptable, revised and
21 reproducible final plan including five copies conforming to the
22 approved preliminary plat of Boulder Ridge Addition.

23 b. The construction plans must conform to the approved plans.

24 c. Final plats within the area of this community unit plan must be
25 approved by the City.

1 3. Before occupying the dwelling units, all development and construction
2 must be completed in conformance with the approved plans.

3 4. All privately-owned improvements must be permanently maintained by
4 the Permittee or an appropriately established homeowners association approved by the City
5 Attorney.

6 5. The site plan approved by this permit shall be the basis for all
7 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
8 elements, and similar matters.

9 6. The terms, conditions, and requirements of this resolution shall be
10 binding and obligatory upon the Permittee, his successors, and assigns. The building official
11 shall report violations to the City Council which may revoke the special permit or take such
12 other action as may be necessary to gain compliance.

13 7. The Permittee shall sign and return the City's letter of acceptance to the
14 City Clerk within 30 days following approval of the special permit, provided, however, said 30-
15 day period may be extended up to six months by administrative amendment. The City Clerk
16 shall file a copy of the resolution approving the special permit and the letter of acceptance with
17 the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor